

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION**

DAVID AUCOIN

CIVIL DOCKET NO. 6:24-CV-00234

VERSUS

JUDGE DAVID C. JOSEPH

CALEB AYMOND ET AL

**MAGISTRATE JUDGE DAVID J.
AYO**

JUDGMENT

Before this Court is a MOTION TO DISMISS PENALTY, PUNITIVE OR EXEMPLARY DAMAGES FILED BY DEFENDANTS CALEB AYMOND, QUENTIN AYMOND, AND SHERIFF CHARLES GUILLORY (“the Motion”) [DOC. 11]. This Motion was referred to United States Magistrate Judge David J. Ayo for Report and Recommendation. After an independent review of the record, noting the absence of objections filed, this Court concludes that the Magistrate Judge’s REPORT AND RECOMMENDATION [Doc 15] is correct and adopts the findings and conclusions therein as its own. Accordingly,

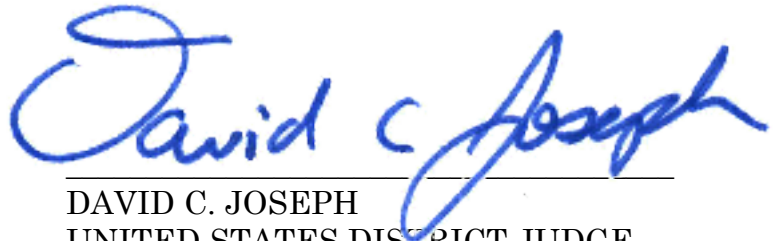
IT IS ORDERED, ADJUDGED, and DECREED that, consistent with the REPORT AND RECOMMENDATION, Defendants’ MOTION TO DISMISS PENALTY, PUNITIVE OR EXEMPLARY DAMAGES [Doc. 11] is GRANTED in part, such that all claims by plaintiff David Aucoin for punitive damages under 42 U.S.C. § 1983 against defendants Caleb Aymond, Quentin Aymond, and Sheriff Charles Guillory in their official capacities are hereby DISMISSED with prejudice pursuant to Fed. R. Civ. P. 12(b)(6).

IT IS FURTHER ORDERED, ADJUDGED, and DECREED that Defendants’ Motion is DENIED in part, such that all claims against defendants Caleb Aymond,

Quentin Aymond, and Sheriff Charles Guillory under 42 U.S.C. § 1983 in their individual capacities are hereby preserved for further proceedings.

IT IS FURTHER ORDERED, ADJUDGED, and DECREED that Defendants' Motion is GRANTED as to all claims against defendants Caleb Aymond, Quentin Aymond, and Sheriff Charles Guillory for punitive damages under Louisiana law. Such claims are DISMISSED with prejudice pursuant to Fed. R. Civ. P. 12(b)(6).

THUS DONE AND SIGNED in Chamber on this 21st day of October, 2024.



DAVID C. JOSEPH
UNITED STATES DISTRICT JUDGE